

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

This declaration is of the following type:

- (X) original
- () design
- () supplemental
- () national stage of PCT

My residence, post office address, and citizenship are as stated below next to my name, and I believe I am the original, first, and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

"DEVICE AND METHOD FOR PROTECTION OF HEATING VENTILATION AND AIR CONDITIONING CONTROL CIRCUITS FROM OVERCURRENTS"

the specification of which: (check one)

- (X) is attached hereto.
- () was filed on ** as Application Serial No. ** and was amended on (if applicable)
- () was described and claimed in PCT International Application No. -- filed on -- and as amended under PCT Article 19 on -- (if any).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information known to be material to the patentability of any claim in accordance with Title 37, Code of Federal Regulations, §1.56, and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 (a)-(d) or § 365 (b) of any foreign application(s) for patent or inventor's certificate, or § 365 (a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate, or of any PCT International application having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATION(S)

<u>Number</u>	<u>Country</u>	<u>Day/Month/Year Filed</u>	<u>Priority Claimed</u>
---------------	----------------	-----------------------------	-------------------------

- NONE -

This declaration is of the following type: (if applicable)

- () divisional
- () continuation
- () continuation-in-part (CIP)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365 (c) of any PCT International application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>Number</u>	<u>Country</u>	<u>Day/Month/Year Filed</u>	<u>Priority Claimed</u>
---------------	----------------	-----------------------------	-------------------------

- NONE -

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: TRACY W. DRUCE, Reg. No. 35,493; and WILLIAM P. GLENN, Reg. No. 36,526 of the law firm of ROYSTON, RAYZOR, VICKERY, NOVAK & DRUCE, L.L.P. having an office at 2000 Riverview Towers, 111 Soledad, San Antonio, Texas 78205.

SEND CORRESPONDENCE TO:
TRACY W. DRUCE
ROYSTON, RAYZOR, VICKERY,
NOVAK & DRUCE, L.L.P.
2000 Riverview Towers
111 Soledad
San Antonio, Texas 78205

DIRECT TELEPHONE CALLS TO:
TRACY W. DRUCE
210-228-0655

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

1	Dennis Mitchell Full Name	<i>Dennis Mitchell</i> Inventor's Signature	8-20-98 Date
	San Antonio, Texas United States Residence		US Citizenship
	12127 Jones Maltsberger Road San Antonio, Texas 79316 Post Office Address		

A:\19970.Mitchell\44353.Declaration and Power of Attorney.mxd

00133363-000129

**STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(b)) -- INDEPENDENT INVENTOR**

Applicant or Patentee: Dennis Mitchell
Application or Patent No.: Unknown
Filed or Issued: Herewith

Title: **DEVICE AND METHOD FOR PROTECTION OF HEATING VENTILATION AND
AIR CONDITIONING CONTROL CIRCUITS FROM OVERCURRENTS**

As the below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees to the Patent and Trademark Office described in:

- ☒ the specification filed herewith with title as listed above.
☐ the application identified above.
☐ the patent identified above.

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☒ No such person, concern or organization exists.
☐ Each such person, concern or organization is listed below.

FULL NAME:
ADDRESS:

☐ Individual ☐ Small Business Concern ☐ NonProfit Organization

Separate statements are required from each named person, concern or organization having rights to the invention stating their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Dennis Mitchell, Inventor
Dennis Mitchell

DATE: 7-20-98